

## DON'T BLAME GOLDSTONE ALONE FOR THE GAZA WHITEWASH .... OBAMA ADMINISTRATION KILLED OFF U.N. INVESTIGATION

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### **'The Palestine Cables': Obama administration killed off independent U.N. Investigation into Israeli war crimes in Gaza**

By Alex Kane\*

It was a shocking event in a twenty-two day assault filled with them: the Israeli military shelled a United Nations compound in Gaza City January 15, where humanitarian aid like fuel and water pumping stations were stationed as well as hundreds of Palestinians displaced by the Israeli bombardment. John Ging, the Gaza Director of Operations of the UN Relief and Works Agency (UNRWA) [described the scene on Democracy Now!](#)

This morning, there were three rounds of white phosphorus which landed in our compound in Gaza. That set ablaze the main warehouse and the big workshop we have there for vehicles. At the time, there were 700, also, people displaced from the fighting. There were full fuel tankers there. The Israeli army have been given all the coordinates of all our facilities, including this one. They also knew that there were fuel tankers laden with fuel in the compound, and they would have known that there were hundreds of people who had taken refuge.

It was one of a number of incidents during "Operation Cast Lead" where the Israeli military attacked United Nations facilities. But the possibility of a further inquiry that would investigate violations of international law during these attacks was killed following intense U.S. lobbying, according to newly published State Department cables released by WikiLeaks and [reported on by Foreign Policy's Colum Lynch](#). The efforts by the Obama administration to scuttle any investigation is similar to their efforts on the Goldstone report, and shows in detail how the [U.S. uses its muscle in international forums to protect Israel](#).

A [report was published in May 2009](#) on nine incidents where U.N. facilities were attacked by Israel. The full report was never published, although a summary of the U.N. report stated that the "Government of Israel is responsible for the deaths and injuries that occurred within the United Nations premises" in seven of the nine incidents investigated.

A number of recommendations were made for further follow-up, which included seeking compensation from Israel and seeking public statements from Israel that allegations of Palestinian fighters firing from within UNRWA facilities were unfounded. The most controversial recommendation included in the report was the call for an "impartial inquiry" into violations of international humanitarian law. But the possibility of that inquiry was quashed in the cover letter to the summary of the report, written by Ki-Moon. "As for the Board's recommendations numbers 10 and 11 [which called for further inquiries], which relate to matters that did not largely fall within the Board of Inquiry's Terms of Reference, I do not plan any further Inquiry," Ki-Moon wrote.

And despite [Moon's insistence at a press conference](#) that the work of the board of inquiry was "completely independent," State Department cables tell a much different story of U.S. pressure on Moon to kill off the possibility of an independent investigation.

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The most controversial part of the probe involved recommendations by Martin that the U.N. conduct a far-reaching investigation into violations of international humanitarian law by Israeli forces, Hamas, and other Palestinian militants. On May 4, 2009, the day before Martin's findings were presented to the media, Rice caught wind of the recommendations and phoned Ban to complain that the inquiry had gone beyond the scope of its mandate by recommending a sweeping investigation.

"Given that those recommendations were outside the scope of the Board's terms of reference, she asked that those two recommendations not be included in the summary of the report that would be transmitted to the membership," according to an account [contained](#) in the May 4 cable. Ban initially resisted. "The Secretary-General said he was constrained in what he could do since the Board of Inquiry is independent; it was their report and recommendations and he could not alter them, he said," according to the cable.

But Rice persisted, insisting in a subsequent call that Ban should at least "make clear in his cover letter when he transmits the summary to the Security Council that those recommendations exceeded the scope of the terms of reference and no further action is needed." Ban offered no initial promise. She subsequently drove the point home again, underlining the "importance of having a strong cover letter that made clear that no further action was needed and would close out this issue."

Ban began to relent, assuring Rice that "his staff was working with an Israeli delegation on the text of the cover letter."

After completing the cover letter, Ban phoned back Rice to report that he believed "they had arrived at a satisfactory cover letter. Rice thanked the Secretary-General for his exceptional efforts on such a sensitive issue."

At the following day's news conference, Ban flat-out rejected Martin's recommendation for an investigation. While underscoring the board's independent nature, he made it clear that "it is not my intention to establish any further inquiry." Although he acknowledged publicly that he had consulted with Israel on the findings, he did not say it had been involved in the preparation of the cover letter killing off the call for an investigation. Instead, he only made a request to the Israelis to pay the U.N. more than \$11 million in financial compensation for the damage done to U.N. facilities.

*\*Alex Kane blogs on Israel/Palestine and Islamophobia in the United States at [alexbkane.wordpress.com](http://alexbkane.wordpress.com). Follow him on [Twitter @alexbkane](#). Read all of 'The Palestine Cables' reports [here](#).*

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